

**RESOLUTION NO. RS2019-1631** (VERCHER) – This resolution would authorize the Department of Law to settle the personal injury claim of USAA General Indemnity, Co. (USAA), as subrogee of Richard Nelson, against the Metropolitan Government in the amount of \$10,000.

On September 23, 2017, an officer of the Metropolitan Nashville Police Department was driving on Bell Road near Zelida Avenue. The officer activated his blue lights but not his siren and began making a u-turn. The officer struck the vehicle driven by Mr. Nelson, damaging the front fender and wheel. Both the officer's vehicle and Mr. Nelson's vehicle required towing.

Mr. Nelson sought treatment for lumbar and cervical disc herniation, resulting in several rounds of physical therapy. USAA paid for an emergency visit, which included x-rays and a CT scan. A total of \$13,313.92 in medical expenses were incurred, of which USAA paid \$10,000. USAA has agreed to accept a total of \$10,000 in full settlement of this case.

The Department of Law recommends settlement of this claim for \$10,000.

Disciplinary action against the employee consisted of a written reprimand and monitored driving for four weeks.

*Fiscal Note: This \$10,000 settlement would be the twenty-ninth payment from the Self-Insured Liability Fund in FY19 for a cumulative total of \$1,266,424.44. The fund balance would be \$4,075,208 after this payment.*